

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

JEFFREY HUDSON,)
vs.)
Plaintiff,)
vs.) CIVIL ACTION NO. 2:25-00088-KD-C
T & S AUTO PARTS & RADIATORS,)
INC., CREDIT ACCEPTANCE)
CORPORATION, EQUIFAX)
INFORMATION SERVICES LLC,)
TRANS UNION LLC, and EXPERIAN)
INFORMATION SOLUTIONS, INC.,)
Defendants.)

ORDER

This action is before the Court on the Joint Stipulation of Dismissal with Prejudice of Defendant Credit Acceptance Corporation (CAC) (doc. 35). Plaintiff Jeffrey Hudson and CAC did not identify the rule of procedure by which the joint stipulation was made. However, Rule 41 provides for a “stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Here, the joint stipulation was signed by Hudson and CAC but was not signed by all parties who have appeared.¹ Therefore, the joint stipulation is ineffective and does not dismiss CAC. See City of Jacksonville v. Jacksonville Hospitality Holdings, 82 F. 4th 1031, 1038-1039 (11th Cir. 2023).

In lieu of dismissing the joint stipulation, the Court will consider it as Hudson’s request for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(2) (“Except as provided in Rule 41(a)(1), an action may be dismissed at the plaintiff’s request only by court order, on terms that

¹ Defendants Equifax Information Services LLC, Trans Union LLC and Experian Information Solutions, Inc. have appeared in the action but did not sign the joint stipulation.

the court considers proper.”). “The decision of whether to grant a voluntary dismissal pursuant to Rule 41(a)(2) ... falls within the sound discretion of the district court.” Arias v. Cameron, 776 F.3d 1262, 1268 (11th Cir. 2015). Upon consideration of Hudson’s statement that “[t]here are no longer issues” between Hudson and CAC, his motion for voluntary dismissal with prejudice is GRANTED and this action is dismissed with prejudice as to CAC.

The action remains pending as to Defendants T & S Auto Parts and Radiators, Inc.,² Equifax Information Services LLC, Trans Union LLC, and Experian Information Solutions, Inc.

The Clerk is directed to terminate CAC as a defendant.

DONE and ORDERED this 18th day of July 2025.

s / Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

² T & S Auto Parts and Radiators, Inc., has not answered or otherwise appeared. The summons appears to have issued in state court (doc. 1-1, p. 37) but the record does not include a return on service (doc. 1-1).